

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address:

Country Lake Homes Homeowners Association
PO Box 1268
Whitefish, MT 59937

2. Type of action: Application No. 76LJ 30111231 to Change Non-Irrigation Existing Water Rights 76LJ 16641 and 76LJ 58632

3. Water source name: Groundwater

4. Location affected by project: W2SE Sec 20 and the NWNE Sec 29
T30N R21W Flathead County (see Figure 1)

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant seeks to 1.) change (correct) the point of diversion of Well #2 associated with unperfected Provisional Permit 76LJ 58632; 2.) add a point of diversion to each unperfected Provisional Permit, so both public water supply wells are on each permit and 3.) clarify/change the purpose associated with both unperfected permits to multiple domestic (93 lots) and lawn and garden irrigation. A total of 41.2 acres could be irrigated. The completion date for the two permits is December 31, 2021. The two rights are associated and supplemental; they have the same place of use. Between the two rights flow cannot exceed 400 GPM up to 120 AF. The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

**6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)**

Montana Natural Heritage Program
Natural Resources and Conservation Service soil maps
Montana Department of Environmental Quality
United States Fish and Wildlife Wetland Mapper
Department of Fish, Wildlife and Parks

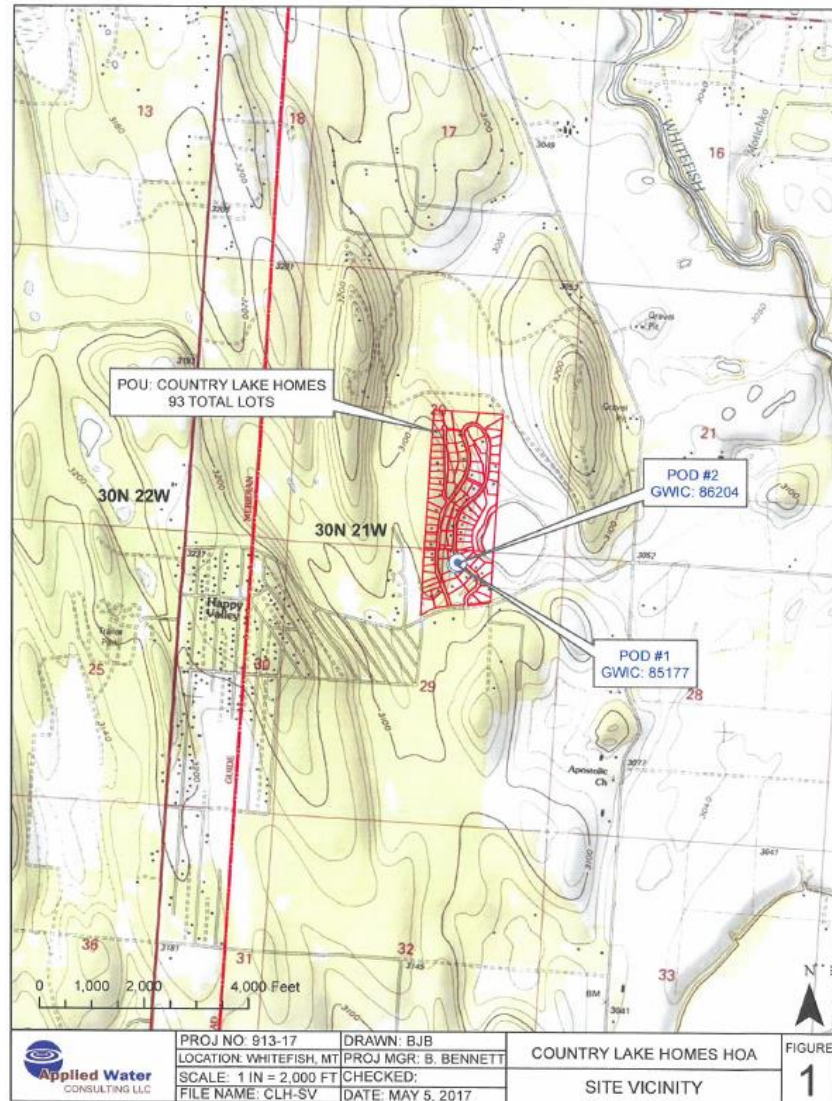


Figure 1: Site Vicinity of Place of Use and Points of Diversion

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

The Applicant proposes to divert groundwater. However, the Applicant is not changing their diverted or consumed volumes originally permitted; therefore, no additional depletions should occur.

Determination: No impact.

Water quality - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

The two permits associated with the change application only use groundwater. This section is not applicable.

Determination: No impact.

Groundwater - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

The Applicant proposes to divert groundwater for multiple domestic and lawn/garden irrigation. The Applicant is not changing the source of water historically used. The total volume of water depleted from groundwater will not change because the Applicant will not divert or consume more water than originally permitted. No effect on the water quality of these sources is anticipated

Determination: No impact.

DIVERSION WORKS - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

The water system is a permitted public water supply under Montana Department of Environmental Quality. The water system consists of two manifold wells, an 83,000-gallon storage tank, four-inch supply lines, and two-inch PVC extension lines. Well #1 (GWIC# 85177) is 197 feet deep with a static water level of 131 feet. It has a 7" casing from -1 to 178 feet and a 4" casing from 177-197 feet. Well #2 (GWIC# 86204) is 200 feet deep with a static water level of 126 feet. It has an 8" casing from -2 to 181 feet and a 6" casing from 163-200 feet. Each well has a Goulds 15 hp submersible pump with an Allen Bradley variable frequency drive. Both pumps can divert the requested flow rate. The wells operate lead-lag. The maximum flow rate and volume that can be diverted from each well is 200 GPM up to 120 AF. The maximum flow rate and volume that can be diverted in combination cannot exceed 400 GPM up to 120 AF. The proposed change shall not impact any channels, barriers, riparian areas and dams. No significant negative impact will occur to existing water users and surface/groundwater resources.

Determination: No impact.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

The Montana Natural Heritage Program and DFWP websites were reviewed to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern”, that could be impacted by the proposed project.

According to the Montana Natural Heritage Program in Township 30N, Range 21W there are three plant species of concern. Deer Indian Paintbrush (*Castilleja coccinea*), Latah Tule Pea (*Lathyrus bijugatus*), and Aloina moss (*Aloina brevirostris*). Agriculture or human development has occurred on or around this parcel of land for many years; any impacts to sensitive plant species has most likely already occurred.

The Bull Trout (*Salvelinus confluentus*) is listed as threatened by the USFS. The Westslope Cutthroat Trout (*Oncorhynchus clarkii lewisi*) and Bald Eagle (*Haliaeetus leucocephalus*) are listed as sensitive by the USFS. The Pygmy Whitefish (*Prosopium coulteri*), Hoary Bat (*Lasiurus cinereus*), Little Brown Myotis (*Myotis lucifugus*), Great Blue-Heron (*Ardea herodias*), Brown Creeper (*Certhia americana*), Evening Grosbeak (*Coccothraustes vespertinus*) and Bobolink (*Dolichonyx oryzivorus*) are rated as S3 or S3B by the state of Montana. Meaning their populations are potentially at risk because of limited and or declining numbers. An adequate quantity of water will still exist in all sources of water to maintain existing populations of fish should they exist there currently. Agriculture or human development has occurred on or around this parcel of land for many years; any impacts to sensitive mammal species most likely has already occurred. No impact.

Determination: No impact.

Wetlands - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

Determination: N/A, project does not involve wetlands or critical riparian habitats

Ponds - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: N/A, project does not involve ponds.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

According to soil survey data provided by the NRCS, soil within the place of use consists mostly of Whitefish silt loam. The soil drainage class is well drained; the capacity of the most limiting layer of soil to transmit water is moderately high (0.20 – 0.57 in/hour). Soils within the place of use are not susceptible to saline seep. The stability of the soil profile and moisture content will not be significantly altered with the use of groundwater within the subdivision. No degradation of soil quality shall occur.

Determination: No impact.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Any impacts to existing vegetation will be within the range of current disturbances due to current land use (subdivision). Noxious weeds are not expected to be established or spread.

Determination: No impact.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Adverse air quality impacts from increased air pollutants are not expected as a result of this project. No air pollutants were identified as resulting from the applicants proposed use of groundwater.

Determination: No impact.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

Determination: N/A, project is not located on state or federal land.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

All impacts to land, water and energy have been identified and no further impacts are anticipated.

Determination: No impact.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

The project is located in an area with no locally adopted environmental plans.

Determination: No impact.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

The proposed project will not inhibit, alter or impair access to present recreational opportunities in the area. The project is not expected to create any significant pollution, noise, or traffic

congestion in the area that may alter the quality of recreational opportunities. The proposed place of use and diversion do not exist on land designated as wilderness.

Determination: No impact.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

There should be no significant negative impact on human health from this proposed use.

Determination: No impact.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*

Yes___ No x If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: No impact.

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

- (a) Cultural uniqueness and diversity? None identified.
- (b) Local and state tax base and tax revenues? None identified.
- (c) Existing land uses? None identified.
- (d) Quantity and distribution of employment? None identified.
- (e) Distribution and density of population and housing? None identified.
- (f) Demands for government services? None identified.
- (g) Industrial and commercial activity? None identified.
- (h) Utilities? None identified.
- (i) Transportation? None identified.
- (j) Safety? None identified.
- (k) Other appropriate social and economic circumstances? None identified.

2. Secondary and cumulative impacts on the physical environment and human population:

Secondary Impacts: None identified.

Cumulative Impacts: None identified.

3. ***Describe any mitigation/stipulation measures:*** None identified.
4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** No reasonable alternatives were identified in the EA.

PART III. Conclusion

1. ***Preferred Alternative:*** None identified.
2. ***Comments and Responses:*** None.
3. ***Finding:***
Yes___ No_x__ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

An EA is the appropriate level of analysis for the proposed action because no significant impacts were identified.

Name of person(s) responsible for preparation of EA:

Name: Melissa Brickl

Title: Hydrologist/Water Resource Specialist

Date: October 3, 2017